

Message Text

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PAGE 01 STATE 153308
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FM SECSTATE WASHDC
TO AMEMBASSY BUCHAREST

C O N F I D E N T I A L STATE 153308

E.O. 11652: GDS

TAGS:CPRS, EFIN, RO

SUBJECT: THE TUDOR CLAIM

REF: BUCHAREST 3653

1. JOHN TUDOR AND HIS ATTORNEYS CALLED AT DEPARTMENT ON JUNE 8 AND MET WITH L/C AND EUR/EE OFFICERS TO DISCUSS TEXT OF ROMANIAN MINISTRY OF FOREIGN AFFAIRS NOTE NO. 8/15535 OF MAY 30, 1978 TRANSMITTED REFTEL, AND TO REQUEST THE DEPARTMENT TO ESPOUSE CLAIM AGAINST ROMANIAN GOVERNMENT.

2. TUDOR ATTORNEYS DENY ANY KNOWLEDGE OR UNDERSTANDING OF REPORTED DECISION OF THE FORMER ILFOV TRIBUNAL, CIVIL SECTION 6, RECORDED IN LEDGER ON NOVEMBER 23, 1946, AND THE SUCCESSOR'S CERTIFICATION NO. 187/1967. TUDOR'S LAWYERS CONTEND THAT THEY DO NOT HAVE TEXTS OF ROMANIAN JUDICIAL DECISIONS. IN ORDER TO EXPEDITE FURTHER CONSIDERATION OF TUDOR CLAIM BY DEPARTMENT, EMBASSY IS REQUESTED, IF IT PERCEIVES NO OBJECTIONS, TO APPROACH ROMANIAN
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 153308

AUTHORITIES FOR TEXTS OF JUDICIAL DECISIONS REPORTED REFTEL.

3. IN COURSE OF MEETING, DEPARTMENT OFFICERS INFORMED TUDOR LAWYERS THAT THE CENTRAL UNRESOLVED ISSUE IS STILL

THE IMPORTANT QUESTION WHETHER THE ORGHIDAN COLLECTION HAD LEGALLY BEEN EXPROPRIATED OR HAD DEVOLVED UPON ROMANIAN

STATE BEFORE OR AFTER CRITICAL DATE OF 1974 WHEN JOHN TUDOR ACQUIRED U.S. CITIZENSHIP BY NATURALIZATION. IN DEPARTMENT'S VIEW AVAILABLE EVIDENCE IS STILL CONFLICTING, AND IT CANNOT DECIDE ON MERITS OF TUDOR CLAIM.

4. ALSO, IN COURSE OF MEETING, DEPARTMENT OFFICERS REFERRED TO REPORT OF ACADEMY OF THE SOCIALIST REPUBLIC OF ROMANIA DATED JULY 31, 1975 WITH ENGLISH TRANSLATION BY THE ROMANIAN MINISTRY OF JUSTICE, STATE NOTARY OFFICE OF THE BUCHAREST CITY AND ILFOV DISTRICT, NO. 20301 DATED OCTOBER 30, 1975, AND AUTHENTICATED BY THE MINISTRY OF FOREIGN AFFAIRS NO. 08/4230 ON JANUARY 1, 1976. THIS REPORT APPARENTLY CONTAINS THE LEGAL POSITION OF THE ROMANIAN GOVERNMENT CONCERNING THE ORGHIDAN COLLECTION AND REFERS TO THE TWO JUDICIAL DECISIONS REPORTED REFTEL. COPY OF REPORT AVAILABLE IN DEPARTMENT IS GARBLED AND SECTIONS OF IT ARE UNINTELLIGIBLE. THERE ARE ALSO INDICATIONS THAT THIS MIGHT BE A BOOTLEG COPY. DEPARTMENT WOULD APPRECIATE EMBASSY EFFORTS TO TRY AND OBTAIN A CLEAR COPY FROM THE ROMANIAN ACADEMY OR OTHER APPROPRIATE ROMANIAN SOURCES. THIS REPORT WOULD ASSIST DEPARTMENT IN RESOLVING ISSUES OF FACT AND IN DETERMINING WHETHER USG HAS THE LEGAL STANDING TO ESPOUSE THE TUDOR CLAIM AND TRANSPOSE IT THROUGH DIPLOMATIC CHANNELS AGAINST THE ROMANIAN GOVERNMENT.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 153308

5. MERRIGAN AND RIPOSANU TESTIFIED ON TUDOR CLAIM AT HOUSE HEARINGS ON JUNE 15. COPY OF TESTIMONY WILL BE POUCHED EMBASSY. CHRISTOPHER

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